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7590 07/09/2008  
DARYL C JOSEPHSON  
54 CHILTON AVE  
SAN CARLOS, CA 94070

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| EXAMINER |
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WOZNIAK, JAMES S

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07/09/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                                      |   |  |
|------------------------------|--------------------------------------|---|--|
| <b>Office Action Summary</b> | <b>Application No.</b><br>09/905,590 | <b>Applicant(s)</b><br>JOSEPHSON, DARYL CRAIG |  |
|                              | <b>Examiner</b><br>JAMES S. WOZNAK   | <b>Art Unit</b><br>2626                       |  |

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 03 April 2008.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-44 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-44 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 03 April 2008 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |   |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)         | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____                                      |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)         | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____   | 6) <input type="checkbox"/> Other: _____                          |

## **DETAILED ACTION**

### ***Response to Amendment***

1. In response to the non-final office action from 11/21/2003 and the notice of a non-compliant amendment from 10/30/2007, the applicant has submitted an amendment, filed 4/3/2008, amending previous claims 1 and 3-4, while adding claims 5-44 and arguing to traverse the art rejection based on the cancellation of claims 1-4 (*Amendment, Pages 72-74*). These arguments are moot, however, because claims 1-4 are still pending and claims 1-44 have been rejected under new grounds as is necessitated by the amended/new claims.
2. In response to the new drawing and specification, the previous objections have been withdrawn, but it is noted that these new drawings have raised further issues (*see below*).
3. Regarding the applicant's comment that the examiner has provided "assurance a next Office Action would not be a final Action" (*Amendment, Pages 65 and 68*), the examiner notes that no such assurance was made. At no time in conversations with the applicant did the examiner guarantee the applicant of a subsequent non-final Office Action in regards to a *response after a Non-final Office Action*. In past telephone conversations, the applicant had informed the examiner that a "*request for continued examination*" was filed. If this was indeed the case, then a Non-final Office Action would have followed provided the amended/new claims were not also unpatentable over the prior art relied upon in the previous rejection. In the present

case, however, the applicant's response is merely directed to the previous Non-final Office Action from 11/21/2003 (*i.e., response after Non-final rejection*) and contains claim amendments and new claims which necessitate new grounds of rejection. For at least these reasons, the finality of this Office Action is proper.

### ***Election/Restrictions***

4. Newly submitted **claims 11 and claim 37** is directed to an invention that is independent or distinct from the invention originally claimed for the following reasons: claim 11 is directed to image recognition processing (*i.e., non-speech recognition processing*) and claim 37 is directed to multi-system processing (*i.e., "a further designated machine"*).

Since applicant has received an action on the merits for the originally presented invention, this invention has been constructively elected by original presentation for prosecution on the merits. Accordingly, claim 11 withdrawn from consideration as being directed to a non-elected invention. See 37 CFR 1.142(b) and MPEP § 821.03.

### ***Claim Objections***

5. **Claims 1-44** are objected to because of the following informalities:

Claims 1, 3, and 4 recite "use-based" objectives, but it appears this limitation should state --user based objectives-- (*for example, see specification, Page 10*).

In claim 16 “may be” should be corrected because the claim language following this phrase is not positively recited.

The following claims should read that the --processing further comprises-- for example, as recited in claim 16: 27-31.

In claim 35, “the transition” should be changed to --a transition-- in order to provide proper antecedent basis for this limitation in the claims.

The remainder of the dependent claims fail to overcome the preceding objections and thus, are similarly objected to by virtue of their dependency.

Appropriate correction is required.

### ***Specification***

6. The amendment filed 4/3/2008 is objected to under 35 U.S.C. 132(a) because it introduces new matter into the disclosure. 35 U.S.C. 132(a) states that no amendment shall introduce new matter into the disclosure of the invention. The added material which is not supported by the original disclosure is as follows:

The applicant's amendment to the specification beginning at page 58, line 5 includes new matter because it refers back to Figs. 13B, which contains new matter. Fig. 13B contains elements that were not disclosed in the specification as filed (*for example, entertainment systems*). This amendment also references other Figures containing new matter- 13B (*elements that were not disclosed in the specification as filed- for example, entertainment systems*), 15F (*no*

*mention of use of image recognition type processing for user identification), and 15G (no mention of trapping database or selective output portion).*

The applicant's amendment to the specification beginning at page 22, line 14 includes new matter. This portion of the specification corresponds to originally submitted Figure 3a. The specification as originally filed did not make any mention of head/body position recognition, gaze, or pointing gestures (*although original Fig. 3a did show a user pointing to a computer screen the figure did not include a pointer device shown in the newly submitted figure*) to affect machine portions. Although the specification does consider the entry of non-speech gestures, the specification makes no mention of what is included in these gestures or how they can be recognized and processed.

The applicant's amendment to the specification beginning at page 27, line 4 includes new matter because it refers back to Fig. 15G, which contains new matter. The specification as filed makes no mention of the interpreter processor connected to a "trapped" database and also having a selective output portion (*i.e., no output or processed output*).

The applicant's amendment to the specification beginning at page 30, line 11 incorporates new matter. The specification as originally filed is silent on the newly recited types of lesser related intermittent tasks because there is no mention of controlling lights, television, stereo/gaming systems, etc.

The applicant's amendment to the specification beginning at page 32, line 29 includes new matter because it refers back to Fig. 13B, which contains new matter. Fig. 13B contains elements that were not disclosed in the specification as filed (*for example, entertainment and gaming systems*).

The applicant's amendment to the specification beginning at page 47, line 10 includes new matter because it redefines the context and task engines by deleting part of their definition from the specification.

The applicant's amendment to the specification beginning at page 55, line 1 includes new matter because it refers back to Fig. 10C-D, which contains new matter. Figs. 10D-C contains elements that were not disclosed in the specification as filed (*the exact scheme shown in 10C for inter-context communication is not supported by the original specification and the particular system structure, including an interface glue is also not supported*).

The applicant's amendment to the specification beginning at page 58, line 5 includes new matter because it refers back to Figs. 13B, which contains new matter. Fig. 13B contains elements that were not disclosed in the specification as filed (*for example, entertainment systems*).

The applicant's amendment to the specification beginning at page 62, line 17 includes new matter. Although the figure corresponding to figure 6A as filed included a parser, the

specification was silent as to its function and how it could be incorporated into the applicant's invention. Thus, the statement that the parser determines "characteristics" is directed to new matter. Also, the description of the simulator or emulator machine is not mentioned in the original specification, and thus, is also directed to new matter.

The applicant's amendment to the specification beginning at page 65, line 22 includes new matter. More specifically, the specification as originally filed did include a command input resolver in the drawings, but is completely silent as to how it would function. The added description of this element was thus not mentioned and is directed to new matter. Similar issues apply to the added enhancement engine (616) components.

Applicant is required to cancel the new matter in the reply to this Office Action.

### ***Drawings***

7. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(5) because they include the following reference character(s) not mentioned in the description:

The elements of Figs. 9A through 10D are not referred to in the specification.

The elements of Fig. 12C and E-H are not referred to in the specification.

The elements of Fig. 13A are not referred to in the specification.

The elements of Fig. 14 are not referred to in the specification.

The elements of Figs. 15A-D and G are not referred to in the specification.



The Figs. 16-17 and their associated elements are not referred to in the specification and the elements of each figure have the same reference numbers.

. Corrected drawing sheets in compliance with 37 CFR 1.121(d), or amendment to the specification to add the reference character(s) in the description in compliance with 37 CFR 1.121(b) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

8. The drawings are objected to because Figs. 3 (*different items not originally shown*), 10C (*exact scheme for inter-context processing*), 10D (*interface glue*), 15G (*trapped database, selective output portion*), and 13B (*different items not originally shown*).

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as “amended.” If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the

drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either “Replacement Sheet” or “New Sheet” pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

9. The disclosure is objected to because of the following informalities:

With respect to currently amended page 49, the examiner points to current Fig. 4a, which includes re-numbered portions of the “Underlying Machine KB”. The described elements of this section of the specification do not refer back to their proper re-numbered reference numbers (for example- “available controls” is noted to be element 477, when its updated reference number is actually 482).

Currently amended page 58 of the specification refers back to Fig. 12, but does not provide an associated alphabetical reference (*i.e., is this section referring back to a, b, etc?*).

Currently amended page 65 of the specification refers to the incorrect element number when discussing the command input resolver.

The analyzer filters recited on amended page 70 of the specification appear to correspond to elements 823-826 rather than 822-826.

Appropriate correction is required.

***Claim Rejections - 35 USC § 112***

10. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

11. **Claims 25-26** are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

In **claim 25**, it is uncertain whether the term in parenthesis is actually a part of the claim or is alternative processing conducting means. The claim should be amended accordingly to better indicate what is meant by the parenthetical statement (*for example –an expression usage--*). Claim 26 fails to overcome this 35 U.S.C. 112, second paragraph issue, and thus, is also rejected as being indefinite.

12. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

13. **Claim 28** is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The specification as originally filed makes no mention of trapping processing as is recited in claim 28.

***Claim Rejections - 35 USC § 102***

14. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

The changes made to 35 U.S.C. 102(e) by the American Inventors Protection Act of 1999 (AIPA) and the Intellectual Property and High Technology Technical Amendments Act of 2002 do not apply when the reference is a U.S. patent resulting directly or indirectly from an international application filed before November 29, 2000. Therefore, the prior art date of the reference is determined under 35 U.S.C. 102(e) prior to the amendment by the AIPA (pre-AIPA 35 U.S.C. 102(e)).

15. **Claims 1-3, 5-8, 12, 15-36, 38-39, and 42-44** are rejected under 35 U.S.C. 102(e) as being anticipated by Watanabe et al (*U.S. Patent: 6,035,267*).

With respect to **Claim 1**, Watanabe discloses:

Receiving voice information corresponding to at least one machine user (*received input speech in a natural language from a user, Col. 4, Line 65- Col. 5, Line 16; Col. 5, Lines 60-62*);  
and

Processing the voice information, the processing including:

Determining whether the voice information includes command information (*identifying semantic terms related to system commands, Col. 5, Lines 1-16*);

Determining one or more use-based objectives corresponding to the voice information (*a user goal is determined for the voice input, Col. 5, Lines 1-16; and Col. 5, Line 60- Col. 6, Line 3*);

Determining one or more specificities corresponding to the command information (*a system goal is determined, which corresponds to the user's command, Col. 5, Lines 1-16; Col. 6, Lines 13-21*); and

Determining a conversant command execution corresponding to the use-based objectives and the specificities (*determining an action execution based on the goals, Col. 5, Lines 29-50; and Col. 6, Line 36- Col. 7, Line 5*).

With respect to **Claim 2**, Watanabe further discloses:

An interfacing system formed according to the method of claim 1 (*processing apparatus, Col. 4, Lines 65-66*).

**Claim 3** contains subject matter similar in scope to claims 1-2, and thus, is rejected under similar rationale.

With respect to **Claim 5**, Watanabe further discloses:

The voice information comprises at least one of: a conversant voice command recitation of one or more users, a non-conversant voice command recitation of one or more user and monitored speech of one or more users (*natural language speech commands, Col. 5, Lines 60-62*).

With respect to **Claim 6**, Watanabe further discloses:

The determining one or more use-based objectives comprises determining that at least one voice information portion of the voice information corresponds to at least one of a user task

Art Unit: 2626

and a user goal (*user goal identification from input speech information, Col. 5, Lines 1-16; and Col. 5, Line 60- Col. 6, Line 3*).

With respect to **Claim 7**, Watanabe further discloses:

The determining one or more use-based objectives comprises determining that at least a voice information portion of the voice information corresponds to at least one of a group task and a group goal (*variations of multiple user speech commands are grouped under a goal, Col. 5, Lines 51-59*).

With respect to **Claim 8**, Watanabe further discloses:

The determining one or more specificities includes determining one or more explicit specificities as corresponding to one or more explicitly recited voice information portions of the voice information (*system goals directly correspond to the user speech input, Col. 5, Line 54- Col. 6, Line 21*).

With respect to **Claim 12**, Watanabe further discloses:

Determining one or more machine portions of the one or more hosted machines for effecting the one or more use-based objectives (*determining system portions for effecting user goals, Col. 7, Lines 6-25*).

With respect to **Claim 15**, Watanabe further discloses:

At least a portion of the processing is conducted in accordance with one or more of a context, a conversant context, an interaction, an approach, and a scenario (*context is utilized in conversational processing, Col. 6, Lines 54- Col. 7, Line 5*).

With respect to **Claim 16**, Watanabe further discloses:

Determining at least one likely further use-based objective that may be determined in accordance with further received voice information (further request for information to which a user responds with additional voice information, Col. 6, Line 54- Col. 7, Line 5; and user goal determination, Col. 5, Lines 1-16); and

Conducting at least a portion of the processing in accordance with the at least one likely further use-based objective (*processing is continually performed according to user goals, Col. 7, Lines 52-62*).

With respect to **Claim 17**, Watanabe further discloses:

Processing is conducted in accordance with at least one of a processing history, a user habit, and a user tendency of at least one user (*history information is utilized in processing, Col. 6, Lines 54-67*).

With respect to **Claim 18**, Watanabe further discloses:

At least a portion of the processing is conducted in accordance with a content characterization, the content characterization including at least one of an information type, an information use, an information application, and an information purpose (*information application including tagged information for searching, Col. 7, Lines 6-25*).

With respect to **Claim 19**, Watanabe further discloses:

The information type is selected from a group including commands, data, biometric data, dictation, and specific data type (*specific value associated with a type of data, Col. 7, Lines 6-25*).

With respect to **Claim 20**, Watanabe further discloses:

The information type is selected from a group including silence, misstatement, mis-recitation, private information, and confidential information (*processing involving classification of a misstatement or mis-recitation in the form of an illegal input, Col. 7, Lines 6-25*).

With respect to **Claim 21**, Watanabe further discloses the processing of business information (*hotel, airline, etc, Col. 7, Lines 6-25*).

With respect to **Claim 22**, Watanabe further recites:

The information application is selected from a group including charting, home control, calendaring, vehicle operation, communication, multimedia production, media presentation, and document production (*communication and scheduling flights or hotel stays, Col. 7, Lines 6-25*).

With respect to **Claim 23**, Watanabe further recites:

The information purpose is selected from a group including a particularized objective and a subject matter of a user to which at least one of a command portion, a data portion, a dictation portion is determined to be directed (*command directed to a user/system goal, Col. 5, Line 60- Col. 6, Line 21; and Col. 7, Lines 52-62*).

With respect to **Claim 24**, Watanabe further discloses filling-in or reviewing booking form information (*Col. 7, Lines 6-25*).

With respect to **Claim 25**, Watanabe further discloses:

The processing is conducted in accordance with a usage (expression characterization) corresponding to at least a portion of the voice information (*processing carried out according to expression characterization via language syntax, Col. 5, Line 60- Col. 6, Line 3*).

With respect to **Claim 26**, Watanabe further discloses that the manner of expression is selected from a group including language, dialect and colloquialism, inflection, biometrics,



Art Unit: 2626

physical gesture, and non-speech expression (*expression in a user's natural language, Col. 5, Line 60- Col. 6, Line 3*).

With respect to **Claim 27**, Watanabe further discloses disabling illegal speech input portions and enabling the acceptable portions (*Col. 7, Lines 6-25*).

With respect to **Claim 28**, Watanabe further discloses trapping and muting and substitution of incorrect/insufficient speech inputs (*Col. 6, Line 54- Col. 7, Line 25*).

With respect to **Claim 29**, Watanabe further recites local speech vocabulary word determination (*i.e., speech recognition*) involving syntax understanding (*Col. 5, Line 60- Col. 6, Line 3*).

With respect to **Claim 30**, Watanabe further discloses:

The processing further comprises determining at least one of an operational mistake, corrective action, and implicit user assisting in accordance with at least one of a content characterization and an expression characterization (*user assistance provided to a user in response to input speech characterization, Col. 6, Line 54- Col. 7, Line 5*).

With respect to **Claim 31**, Watanabe further discloses:

Determining that a portion of the voice information corresponds with an anti-alias (*determining a portion of a user's voice input that is a name that is not an alias, Col. 5, Line 51- Col. 6, Line 3*), the anti-alias comprising an anti-alias designation indicating at least one specific target of the anti-alias (*anti-alias name designation associated with a target under a user goal, Col. 5, Line 51- Col. 6, Line 3; and Figs. 3-4*); and

Resolving the anti-alias (*resolving the meaning of the non-alias using natural language understanding, Col. 5, Line 51- Col. 6, Line 3*).

With respect to **Claim 32**, Watanabe further discloses:

The resolving the anti-alias comprises determining at least one specific target in accordance with at least one of a current class membership, a current title, and a currently performed function (*determining the anti-alias target based on a current user goal function context, Col. 5, Line 51- Col. 6, Line 3; and Col. 7, Lines 26-62*);

The at least one specific target and the at least one of a class, title, and function correspond with one or more of explicit and implicit specificities, the one or more specificities further corresponding to at least a portion of the voice information and the voice information corresponds with one or more recitations (*explicit target is associated with the alias under a user goal and further system goal and is derived from user speech, Col. 5, Line 51- Col. 6, Line 21; and Col. 7, Lines 26-62*).

With respect to **Claim 33**, Watanabe further discloses:

The anti-alias designation indicates at least one of a target classification designation and a source of target resolution information in accordance with which the anti-alias may be resolved (*the target of the alias is associated with a term having a field class designation, Col. 5, Line 51- Col. 6, Line 3*); and

The anti-alias further comprises: an association of the target-anti-alias designation with at least one specificity (*anti-alias is associated with a system goal information, Col. 5, Line 60, Col. 6, Line 21*).

With respect to **Claim 34**, Watanabe further discloses:

The anti-alias designation indicates possession (*the designation points back to the alias, indicating possession of that term under a user goal, Col. 5, Line 51- Col. 6, Line 3; and Fig. 4*).

With respect to **Claim 35**, Watanabe further discloses:

The determining a conversant command execution includes designating at least one machine portion for executing at least a portion of the voice information (*designating a machine portion upon which the action is to be performed, Col. 7, Lines 6-25*);

The designating is conducted in accordance with at least one of a not explicitly stated ("implied") specificity and the use-based objective (*designating a machine portion through the user goal, Col. 6, Line 54- Col. 7, Line 25*), thereby enabling one or more of feedback corresponding to the transition or non-transition, completion of a designation objective and preparation corresponding to a likely successive user recitation (*communication feedback regarding completion of a goal or transition/non-transition to another system state, Col. 7, Lines 1-62*); and

Wherein:

the designating causes a designation of a current machine portion to transition to a non-current machine portion, causing the executing to be conducted by invoking operabilities of the non-current machine portion (*switching to another system processing portion through a changed goal, Col. 6, Line 54- Col. 7, Line 5; and Col. 7, Lines 52-62*).

With respect to **Claim 36**, Watanabe further discloses:

The designating is further conducted in accordance with at least one of an operational history, a user habit and a user tendency (*employment of an interaction history, Col. 6, Line 54- Col. 7, Line 5*).

With respect to **Claim 38**, Watanabe further discloses an application program having a GUI (*Col. 7, Lines 6-25*).

With respect to **Claim 39**, Watanabe further discloses:

The voice information includes previously received voice information and currently received voice information (*current speech and speech corresponding to a previous iteration stored in a history, Col. 5, Line 60- Col. 6, Line 3; and Col. 6, Line 54- Col. 7, Line 5*);

At least one of the determining a use-based objective, the determining one or more specificities and the determining a conversant execution includes determining that at least a portion of the currently received voice information corresponds with at least a portion of the previously received voice information ('determining a correspondence') (*the processing involves looking at a history storage to determine arguments that exits from a previous speech section, Col. 6, Line 54- Col. 7, Line 5*);

At least one of the determining a use-based objective, the determining one or more specificities and the determining a conversant execution includes processing at least a portion of the previously received voice information and the currently received voice information as a discontinuous recitation of a use-based objective (*associating mandatory arguments from multiple speech iterations as a discontinuous recitation of a user goal, Col. 6, Line 54- Col. 7, Line 5; and Col. 7, Lines 26-62*).

With respect to **Claim 42**, Watanabe further discloses discontinuous argument items of a goal group that can be processed in different iterations (*Col. 6, Line 54- Col. 7, Line 5*).

With respect to **Claim 43**, Watanabe further discloses a missing element that cues an action is determined to be executed (*Col. 6, Line 54- Col. 7, Line 46*).

With respect to **Claim 44**, Watanabe teaches that when a missing argument is input and a user statement is complete, the information in the history storage is acted upon to execute an appropriate command (*Col. 6, Line 54- Col. 7, Line 25*).

***Claim Rejections - 35 USC § 103***

16. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

17. **Claims 4, 9-10, and 13-14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al in view of Coffman et al (*U.S. Patent: 6,377,913*).

With respect to **Claim 4**, Watanabe discloses the user-goal based speech processing method, as applied to Claim 1. Watanabe does not explicitly teach method implementation as a program stored on a computer readable medium, however, Coffman recites implementing a speech recognition method as software stored in memory (*Col. 3, Lines 30-34*).

Watanabe and Coffman are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a /person of ordinary skill in the art, at the time of invention, to modify the teachings of Watanabe with the concept of method implementation as a computer program as taught by Coffman in order to allow the speech processing system of Watanabe to be implemented in any general purpose computer (*Coffman, Col. 3, Lines 32-35*).

With respect to **Claim 9**, Watanabe discloses the user-goal based speech processing method, as applied to Claim 1. Watanabe does not explicitly teach the execution of implied specificities, however, Coffman teaches the ability to execute a command with implied user information that is not actually included in the spoken input (*Col. 4, Line 35- Col. 5, Line 32*) to better understand a user and customize system responses (*Coffman, Col. 6, Lines 54-60*).

With respect to **Claim 10**, Coffman further discloses processing performed according to user identification (*Col. 4, Line 35- Col. 5, Line 11*).

With respect to **Claim 13**, Coffman further discloses processing conducted in accordance with a machine association with a user (*Col. 4, Line 35- Col. 5, Line 11*).

With respect to **Claim 14**, Coffman further discloses processing conducted in accordance with a machine portion use (*Col. 4, Lines 35- Col. 5, Line 52*).

18. **Claim 40** is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al in view of Coffman et al (*U.S. Patent: 6,799,169*).

With respect to **Claim 40**, Watanabe discloses the speech processing system that relates past and current commands, as applied to claim 39. Also, Watanabe further discloses:

The determining a correspondence determines that the currently received information at least partially completes the previously received information by including one or more corresponding specificities having a same input type characterization (*arguments from past and present required to complete a system goal, Col. 6, Line 54-Col. 7, Line 5*);

The determining a correspondence determines that the currently received information at least partially completes the previously received information by providing one or more

Art Unit: 2626

corresponding specificities having a different input type characterization (*arguments in goal frame filling portions that have a different input syntax characterization, Col. 5, Line 60- Col. 6, Line 3; and Col. 6, Line 54- Col. 7, Line 5*); and

The determining a correspondence determines that at least one of the previously recited information and the currently received information comprises a partial recitation (portions of a complete state correspond to each voice portion, Col. 6, Line 54- Col. 7, Line 5).

Watanabe does not specifically teach determine a correspondence according to a linking indicator, however, Coffman '169 recites:

The determining a correspondence determines that the previously received information and the currently received voice information correspond with an interrupted single recitation (*determining an interrupted speech recognition session, Col. 5, Lines 1-20*); and

The determining a correspondence comprises determining that at least one of the previously received voice information and the currently received voice information includes a linking indicator (*response type indicator associated with the past and present voice information, Col. 4, Lines 28-54*).

Watanabe and Coffman '169 are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a /person of ordinary skill in the art, at the time of invention, to modify the teachings of Watanabe with the association means taught by Coffman '169 in order to allow the user the option to complete any action at a later time or not at all (*Coffman '169, Col. 5, Lines 18-21*).

19. **Claim 41** is rejected under 35 U.S.C. 103(a) as being unpatentable over Watanabe et al in view of Goldhor et al (*U.S. Patent: 5,970,448*).

With respect to **Claim 41**, Watanabe discloses the speech processing system that relates past and current commands, as applied to claim 39. Watanabe does not specifically suggest the processing of claim 41 involving a linking indicator, however, Goldhor discloses:

Conducting independent processing corresponding to at least a portion of the previously received information (*performing speech recognition processing on a portion of the previous voice information, Col. 8, Lines 24-39*);

Preserving the independent processing if the currently received voice information includes a linking indicator (*a next speech entry is provided having a connecting pointer and a previous speech input processing is maintained, Col. 8, Lines 40-56; and Col. 6, Lines 6-15*); and

Modifying at least a portion of a result obtained in accordance with the independent processing if the currently received voice information does not include a linking indicator (*command is received that modifies the previous processing result, Col. 9, Lines 15-35*).

Watanabe and Goldhor are analogous art because they are from a similar field of endeavor in speech controlled systems. Thus, it would have been obvious to a /person of ordinary skill in the art, at the time of invention, to modify the teachings of Watanabe with the pointer-related processing taught by Goldhor in order to allow a user to continue an interactive speech session at a later time (*Goldhor, Col. 5, Lines 48-56*).



*Conclusion*

20. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

21. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure: See PTO-892.

22. Any inquiry concerning this communication or earlier communications from the examiner should be directed to James S. Wozniak whose telephone number is (571) 272-7632. The examiner can normally be reached on M-Th, 7:30-5:00, F, 7:30-4, Off Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Patrick Edouard can be reached at (571) 272-7603. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/James S. Wozniak/  
Patent Examiner, Art Unit 2626

/Patrick N. Edouard/  
Supervisory Patent Examiner, Art Unit 2626